

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,

Plaintiff,

No. 5: 18-cv-00214-JLS

v.

EQUIFAX, INC. et al.,

Defendants.

NOTICE and OBJECTION

1. Edward Thomas Kennedy, hereinafter "Kennedy and/or "Plaintiff", is one of the people of Pennsylvania, and in this court of record objects to the Appearance of modern attorney Klein and his Notice of Appearance by Jonathan D. Klein, of the firm of Clark Hill PLC for it violates the Law of the Case, Exhibit 1, previously filed by Kennedy into this case, for Klein's appearance injures Plaintiff Kennedy in loss of rights.

2. Kennedy also notices this court of record of the following:
The very meaning of 'sovereignty' is that the decree of the sovereign makes law."¹
"'Sovereignty' means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree."²

3. RESERVATION OF SOVEREIGNTY: "Even if the Tribe's power to tax were derived solely from its power to exclude non-Indians from the reservation, the Tribe

¹ American Banana Co. v. United Fruit Co., 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.

² Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.

has the authority to impose the severance tax. Non-Indians who lawfully enter tribal lands remain subject to a tribe's power to exclude them, which power includes the lesser power to tax or place other conditions on the non-Indian's conduct or continued presence on the reservation. The Tribe's role as commercial partner with petitioners should not be confused with its role as sovereign. It is one thing to find that the Tribe has agreed to sell the right to use the land and take valuable minerals from it, and quite another to find that the Tribe has abandoned its sovereign powers simply because it has not expressly reserved them through a contract. To presume that a sovereign forever waives the right to exercise one of its powers unless it expressly reserves the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head.³

Date: September 30, 2018.

/s/ Edward Thomas Kennedy
(SEAL)

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³ *Merrion v. Jicarilla Apache Tribe*; *Amoco Production Company v. Jicarilla Apache Indian Tribe*, 455 U.S. 130, 131, 102 S.Ct. 894, 71 L.Ed.2d 21 (1981).

CERTIFICATE OF SERVICE

This is to certify that I have this 30th days of September, 2018 electronically filed the foregoing Notice and Objection with the Clerk of Court using the CM/ECF system which will send notification of such to all attorneys of record:

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/s/ Edward Thomas Kennedy SEAL

Edward Thomas Kennedy